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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

In re Application of: Heinrich Bauschulte

Application No.: 10/004,154

Filed: 10/30/2001

For: Cutting or Breaking Tool as well as Cutting Insert
for the Latter

The owner*, Barat Carbide Holding GmbH 100

percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6354771 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is found invalid by a court of competent jurisdiction;
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- has all claims canceled by a reexamination certificate;
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2. The undersigned is an attorney or agent of record. Reg. No. 35747

Gudrun E. Huckett

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